

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17485 of 2017

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Smt. Dr. Sanju Kumari W/o Rajiv Ranjan, Resident of Mohalla-Patel Nagar,
P.S. Bihar District-Nalanda at Present Assistant Teacher Upgraded Middle
School Karampur Under Block of Giriak District Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The Regional Deputy Director Education Patna Division, Patna.
4. The District Education Officer, Nalanda at Bihar Sharif.
5. The District Programme Officer, Establishment Nalanda at Bihar Sharif.
6. The Chairman, District Primary Teachers Promotional Committee, Nalanda
at Bihar Sharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amaresh Kumar, Advocate
For the Respondent/s : Mr.Prabhakar Jha -GP-27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 24-02-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ
petition is that notwithstanding the fact that the petitioner
appeared at the examination after obtaining prior permission of
the District Superintendent of Education, Nalanda vide
Annexure-1, petitioner claims for grant of promotion was
arbitrarily rejected. Learned counsel for the petitioner further
submitted that those who were granted permission to appear at
the examination in similar manner they have been granted the



benefit of promotion.

Learned counsel for the petitioner has clarified that the examination in which the petitioner appeared pursuant to the permission of the concerned authority was in relation to academic session which was completed before entering the petitioner in service..

Considering the aforesaid, this writ petition is disposed of with the direction to the respondents to revisit the entire matter and take appropriate decision and if it is found that the petitioner appeared at the examination after obtaining prior permission of the District Superintendent of Education, Nalanda as per Annexure-1 the respondents are required to pass appropriate fresh decision granting benefit of promotion to the petitioner from the date the colleague of the petitioner has been granted.

(Anil Kumar Upadhyay, J)

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